

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Levon Walker,	)	
	)	C/A No.: 3:04-624-MBS
Plaintiff,	)	
	)	
vs.	)	
	)	<b>ORDER</b>
The University of South Carolina,	)	
	)	
Defendant.	)	
	)	

Plaintiff Levon Walker is or was an employee of Defendant University of South Carolina. Plaintiff filed this action on March 1, 2004, asserting that he had been subjected to discriminatory treatment and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq.

This matter is before the court on Defendant's motion for summary judgment, which motion was filed September 30, 2005 (Entry 16). Defendant contends that most of Plaintiff's claims are time-barred and that at least one of the claims has not been administratively exhausted. As to Plaintiff's claim that he had been denied performance pay increases since 1997, Defendant contends the claim fails on the merits because Plaintiff has not identified any similarly situated employees who received raises. As to Plaintiff's retaliation claim, Defendant contends that this claim is time-barred. Plaintiff filed a response to the motion on October 25, 2005, to which Defendant filed a reply on November 4, 2005. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bristow Marchant for a Report and Recommendation. The Magistrate Judge issued a Report and Recommendation on August 3, 2006, in which he

recommended that Defendant's motion for summary judgment be granted. Plaintiff filed objections to the Report on August 28, 2006.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

Plaintiff's objections in their entirety provide as follows:

Although the plaintiff is not able to advance any argument not heretofore asserted, and although he has no additional evidence or legal authority other than that provided in his memorandum opposing summary judgment, he respectfully objects to the Report and Recommendation of the Magistrate Judge and hereby reaffirms the points and arguments previously asserted.

Plaintiff's Objections to Magistrate Judge's Report and Recommendation (Entry 27).

The court need not conduct a de novo review when, as in this case, a party makes only general and conclusory objections that do not direct the court to a specific error in the Magistrate Judge's proposed findings and recommendations. See Orpiano v. Johnson, 687 F.2d 44, 47-48 (4th Cir. 1982). Nevertheless the court has thoroughly reviewed the record and concurs in the recommendation of the Magistrate Judge. The court adopts the Report and Recommendation and incorporates it herein by reference. For the reasons stated therein and in this order, Defendant's

motion for summary judgment (Entry 16) is **granted**.

**IT IS SO ORDERED.**

/s/ Margaret B. Seymour  
United States District Judge

August 30, 2006

Columbia, South Carolina